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**THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

<p>SELENA ANDREWS,  Plaintiff,  v.  EQUIFAX INFORMATION SERVICES, LLC, EXPERIAN INFORMATION SOLUTIONS, INC., and TRANS UNION LLC,  Defendants.</p>	<p>Civil Action No.: 2:24-cv-08047  <b>EXPERIAN INFORMATION SOLUTIONS, INC.'S ANSWER TO COMPLAINT AND AFFIRMATIVE DEFENSES</b></p>
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Experian Information Solutions, Inc. (“Experian”), by its undersigned counsel, answers the Complaint herein as follows:

**RESPONSE TO INTRODUCTION**

1. In response to paragraph 1 of the Complaint, these are legal conclusions and are not subject to denial or admission. To the extent a response is required, Experian denies any violation of the Fair Credit Reporting Act (“FCRA”).

2. In response to paragraph 2 of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

3. In response to paragraph 3 of the Complaint, except to deny that it included inaccurate, incomplete, and/or inconsistent information on Plaintiff's credit disclosures, Experian

is without knowledge or information sufficient to form a belief as to the truth of these allegations and leaves Plaintiff to her proofs.

4. In response to paragraph 4 of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

#### **RESPONSE TO JURISDICTION AND VENUE**

5. In response to paragraph 5 of the Complaint, these are legal conclusions and are not subject to denial or admission.

6. In response to paragraph 6 of the Complaint, these are legal conclusions and are not subject to denial or admission.

7. In response to paragraph 7 and its subparts of the Complaint, these are legal conclusions and are not subject to denial or admission.

#### **RESPONSE TO PARTIES**

8. In response to paragraph 8 (improperly numbered 7) of the Complaint, these are legal conclusions and are not subject to denial or admission.

9. In response to paragraph 9 (improperly numbered 8) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

10. In response to paragraph 10 (improperly numbered 9) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

11. In response to Paragraph 11 (improperly numbered 10) of the Complaint, Experian admits that it is a consumer reporting agency as defined by 15 U.S.C. § 1681a(f).

Experian further admits that it is qualified to do business and conducts business in the State of New Jersey. Except as specifically admitted, Experian denies the remaining allegations.

12. In response to paragraph 12 (improperly numbered 11) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

13. In response to paragraph 13 (improperly numbered 12) of the Complaint, Plaintiff makes no allegation and therefore Experian has no response.

14. In response to paragraph 14 (improperly numbered 13) of the Complaint, Plaintiff makes no allegation and therefore Experian has no response.

#### **RESPONSE TO PLAINTIFF'S FACTS**

15. In response to paragraph 15 (improperly numbered 13) of the Complaint, these are legal conclusions and are not subject to denial or admission of the Complaint. To the extent a response is required, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations and leaves Plaintiff to her proofs.

16. In response to paragraph 16 (improperly numbered 14) of the Complaint, these are legal conclusions and are not subject to denial or admission. To the extent a response is required, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations and leaves Plaintiff to her proofs.

17. In response to paragraph 17 (improperly numbered 15) of the Complaint, these are legal conclusions and are not subject to denial or admission of the Complaint. To the extent a response is required, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations and leaves Plaintiff to her proofs.

18. In response to paragraph 18 (improperly numbered 16) of the Complaint, these are legal conclusions and are not subject to denial or admission of the Complaint.

19. In response to paragraph 19 (improperly numbered 17) of the Complaint, these are legal conclusions and are not subject to denial or admission.

20. In response to paragraph 20 (improperly numbered 18) of the Complaint, Experian states the section of the statute cited speaks for itself. To the extent Plaintiff misquotes or misconstrues the statute, Experian denies the allegations.

21. In response to paragraph 21 (improperly numbered 19) of the Complaint, Experian denies that it included inaccurate, false, and/or incomplete information on Plaintiff's credit disclosures. The remaining allegations are legal conclusions and are not subject to denial or admission.

22. In response to paragraph 22 (improperly numbered 20) of the Complaint, these are legal conclusions and are not subject to denial or admission.

23. In response to paragraph 23 (improperly numbered 21) of the Complaint, these are legal conclusions and are not subject to denial or admission. To the extent Plaintiff misquotes or misconstrues the statute, Experian denies the allegations.

24. In response to paragraph 24 (improperly numbered 22) of the Complaint, these are legal conclusions and are not subject to denial or admission. To the extent Plaintiff misquotes or misconstrues the statute, Experian denies the allegations.

25. In response to paragraph 25 (improperly numbered 23) of the Complaint, these are legal conclusions and are not subject to denial or admission. To the extent Plaintiff misquotes or misconstrues the statute, Experian denies the allegations.

26. In response to paragraph 26 (improperly numbered 24) of the Complaint, these are legal conclusions and are not subject to denial or admission. To the extent Plaintiff misquotes or misconstrues the statute, Experian denies the allegations.

27. In response to paragraph 27 (improperly numbered 25) and its subparts of the Complaint, except to deny that it included inaccurate and incomplete information on Plaintiff's credit disclosures, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations, and leaves Plaintiff to her proofs.

28. In response to paragraph 28 (improperly numbered 26) of the Complaint, Plaintiff makes no allegation and therefore Experian has no response.

29. In response to paragraph 29 (improperly numbered 27) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

30. In response to paragraph 30 (improperly numbered 28) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations, and leaves Plaintiff to her proofs.

31. In response to paragraph 31 (improperly numbered 29) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations, and leaves Plaintiff to her proofs.

32. In response to paragraph 32 (improperly numbered 30) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations, and leaves Plaintiff to her proofs.

33. In response to paragraph 33 (improperly numbered 31) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations, and leaves Plaintiff to her proofs.

34. In response to paragraph 34 (improperly numbered 32) of the Complaint, Experian denies it included inaccurate, incomplete, or inconsistent information on Plaintiff's credit disclosures. Experian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations, and leaves Plaintiff to her proofs.

35. In response to paragraph 35 (improperly numbered 33) of the Complaint, Experian denies it included inaccurate, incomplete, or inconsistent information on Plaintiff's credit disclosures. Experian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations, and leaves Plaintiff to her proofs.

36. In response to paragraph 36 (improperly numbered 34) of the Complaint, Experian denies it included inaccurate, incomplete, or inconsistent information on Plaintiff's credit disclosures. Experian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations, and leaves Plaintiff to her proofs.

37. In response to paragraph 37 (improperly numbered 35) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

38. In response to paragraph 38 (improperly numbered 36) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

39. In response to paragraph 39 (improperly numbered 37) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

40. In response to paragraph 40 (improperly numbered 38) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

41. In response to paragraph 41 (improperly numbered 39) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

42. In response to paragraph 42 (improperly numbered 40) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

43. In response to paragraph 43 (improperly numbered 41) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

44. In response to paragraph 44 (improperly numbered 42) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

45. In response to paragraph 45 (improperly numbered 43) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

46. In response to paragraph 46 (improperly numbered 44) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

47. In response to paragraph 47 (improperly numbered 45) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

48. In response to paragraph 48 (improperly numbered 46) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

49. In response to paragraph 49 (improperly numbered 47) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

50. In response to paragraph 50 (improperly numbered 48) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

51. In response to paragraph 51 (improperly numbered 49) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

52. In response to paragraph 52 (improperly numbered 50) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

53. In response to paragraph 53 (improperly numbered 51) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

54. In response to paragraph 54 (improperly numbered 52) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

55. In response to paragraph 55 (improperly numbered 53) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations, and leaves Plaintiff to her proofs.

56. In response to paragraph 56 (improperly numbered 54) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations, and leaves Plaintiff to her proofs.

57. In response to paragraph 57 (improperly numbered 55) of the Complaint, Experian denies it included inaccurate and incomplete information in Plaintiff's credit disclosure. Experian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations, and leaves Plaintiff to her proofs.

58. In response to paragraph 58 (improperly numbered 56) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations, and leaves Plaintiff to her proofs.

59. In response to paragraph 59 (improperly numbered 57) of the Complaint, Experian denies the allegations.

60. In response to paragraph 60 (improperly numbered 58) of the Complaint, Experian denies it included inaccurate information and errors in Plaintiff's credit disclosures.

Experian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations, and leaves Plaintiff to her proofs.

61. In response to paragraph 61 (improperly numbered 59) of the Complaint, Experian denies it included inaccurate information and errors in Plaintiff's credit disclosures. Experian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations, and leaves Plaintiff to her proofs.

62. In response to paragraph 62 (improperly numbered 60) of the Complaint, Experian denies it included inaccurate and incomplete information in Plaintiff's credit disclosures. Experian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations, and leaves Plaintiff to her proofs.

63. In response to paragraph 63 (improperly numbered 61) of the Complaint, Experian denies it included inaccurate information in Plaintiff's credit disclosures. Experian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations, and leaves Plaintiff to her proofs.

64. In response to paragraph 64 (improperly numbered 62) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations, and leaves Plaintiff to her proofs.

65. In response to paragraph 65 (improperly numbered 63) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations, and leaves Plaintiff to her proofs.

66. In response to paragraph 66 (improperly numbered 64) of the Complaint, Experian denies the allegations.

67. In response to paragraph 67 (improperly numbered 65) of the Complaint, Experian denies the allegations.

68. In response to paragraph 68 (improperly numbered 66) of the Complaint, Experian denies the allegations.

69. In response to paragraph 69 (improperly numbered 67) of the Complaint, Experian denies the allegations.

70. In response to paragraph 70 (improperly numbered 68) of the Complaint, Experian denies the allegations.

71. In response to paragraph 71 (improperly numbered 69) of the Complaint, Experian denies it included incomplete information in Plaintiff's credit disclosures. Experian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations, and leaves Plaintiff to her proofs.

72. In response to paragraph 72 (improperly numbered 70) of the Complaint, Experian denies any violation of the FCRA. Experian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations, and leaves Plaintiff to her proofs.

73. In response to paragraph 73 (improperly numbered 71) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

74. In response to paragraph 74 (improperly numbered 72) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

75. In response to paragraph 75 (improperly numbered 73) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

76. In response to paragraph 76 (improperly numbered 74) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

77. In response to paragraph 77 (improperly numbered 75) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

78. In response to paragraph 78 (improperly numbered 76) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

79. In response to paragraph 79 (improperly numbered 77) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

80. In response to paragraph 80 (improperly numbered 78) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

81. In response to paragraph 81 (improperly numbered 79) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

82. In response to paragraph 82 (improperly numbered 80) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

83. In response to paragraph 83 (improperly numbered 81) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

84. In response to paragraph 84 (improperly numbered 82) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

85. In response to paragraph 85 (improperly numbered 83) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

86. In response to paragraph 86 (improperly numbered 84) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

87. In response to paragraph 87 (improperly numbered 85) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

88. In response to paragraph 88 (improperly numbered 86) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

89. In response to paragraph 89 (improperly numbered 87) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

90. In response to paragraph 90 (improperly numbered 88) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

91. In response to paragraph 91 (improperly numbered 89) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

92. In response to paragraph 92 (improperly numbered 90) of the Complaint, Experian denies it included inaccurate, incomplete, or inconsistent information in Plaintiff's credit disclosures. Experian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations, and leaves Plaintiff to her proofs.

93. In response to paragraph 93 (improperly numbered 91) of the Complaint, Experian denies it included inaccurate, incomplete, or inconsistent information in Plaintiff's credit disclosures. Experian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations, and leaves Plaintiff to her proofs.

94. In response to paragraph 94 (improperly numbered 92) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

95. In response to paragraph 95 (improperly numbered 93) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information

sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

96. In response to paragraph 96 (improperly numbered 94) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

97. In response to paragraph 97 (improperly numbered 95) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

98. In response to paragraph 98 (improperly numbered 96) of the Complaint, Experian denies it included inaccurate information in Plaintiff's credit disclosures. Experian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations, and leaves Plaintiff to her proofs.

99. In response to paragraph 99 (improperly numbered 97) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

100. In response to paragraph 100 (improperly numbered 98) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

101. In response to paragraph 101 (improperly numbered 99) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

102. In response to paragraph 102 (improperly numbered 100) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

103. In response to paragraph 103 (improperly numbered 101) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

104. In response to paragraph 104 (improperly numbered 102) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

105. In response to paragraph 105 (improperly numbered 103) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

106. In response to paragraph 106 (improperly numbered 104) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

107. In response to paragraph 107 (improperly numbered 105) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

108. In response to paragraph 108 (improperly numbered 106) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

109. In response to paragraph 109 (improperly numbered 107) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

110. In response to paragraph 110 (improperly numbered 108) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

111. In response to paragraph 111 (improperly numbered 109) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph.

112. In response to paragraph 112 (improperly numbered 110) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

113. In response to paragraph 113 (improperly numbered 111) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

114. In response to paragraph 114 (improperly numbered 112) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

115. In response to paragraph 115 (improperly numbered 113) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of the allegations, and leaves Plaintiff to her proofs.

116. In response to paragraph 116 (improperly numbered 114) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations, and leaves Plaintiff to her proofs.

117. In response to paragraph 117 (improperly numbered 115) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

118. In response to paragraph 118 (improperly numbered 116) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

119. In response to paragraph 119 (improperly numbered 117) of the Complaint, Experian denies any violation of the FCRA and denies Plaintiff is entitled to any damages as against Experian. Experian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations, and leaves Plaintiff to her proofs.

120. In response to paragraph 120 (improperly numbered 118) of the Complaint, Plaintiff makes no allegation and therefore Experian has no response. To the extent a response is required, Experian denies it included inaccurate information on Plaintiff's credit disclosure and denies it caused Plaintiff harm.

121. In response to paragraph 121 (improperly numbered 119) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

#### **RESPONSE TO COUNT I**

122. Experian repeats its responses to the preceding paragraphs.

123. In response to paragraph 123 (improperly numbered 121) of the Complaint, these are legal conclusions and are not subject to denial or admission. To the extent a response is required, Experian admits that it is a consumer reporting agency as defined by 15 U.S.C. § 1681a(f).

124. In response to paragraph 124 (improperly numbered 122) of the Complaint, these are legal conclusions and are not subject to denial or admission. To the extent Plaintiff misquotes or misconstrues the statute, Experian denies the allegations.

125. In response to paragraph 125 (improperly numbered 123) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information

sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

126. In response to paragraph 126 (improperly numbered 124) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

127. In response to paragraph 127 (improperly numbered 125) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

128. In response to paragraph 128 (improperly numbered 126) of the Complaint, Experian denies it included inaccurate and incomplete information in Plaintiff's credit disclosures. Experian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations, and leaves Plaintiff to her proofs.

129. In response to paragraph 129 (improperly numbered 127) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

130. In response to paragraph 130 (improperly numbered 128) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

131. In response to paragraph 131 (improperly numbered 129) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of these allegations.

132. In response to paragraph 132 (improperly numbered 130) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

133. In response to paragraph 133 (improperly numbered 131) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

134. In response to paragraph 134 (improperly numbered 132) of the Complaint, these are legal conclusions and not subject to denial or admission. To the extent a response is required, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

135. In response to paragraph 135 (improperly numbered 133) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

136. In response to paragraph 136 (improperly numbered 134) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information

sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

137. In response to paragraph 137 (improperly numbered 135) of the Complaint, these are legal conclusions and not subject to denial or admission. To the extent a response is required, Experian denies that Plaintiff is entitled to any damages, costs, or fees as against Experian.

138. In response to paragraph 138 (improperly numbered 136) of the Complaint, these are legal conclusions and not subject to denial or admission. To the extent a response is required, Experian denies that Plaintiff is entitled to any damages, costs, or fees as against Experian.

#### **RESPONSE TO COUNT II**

139. Experian repeats its responses to the preceding paragraphs.

140. In response to paragraph 140 (improperly numbered 138) of the Complaint, these are legal conclusions and are not subject to denial or admission. To the extent a response is required, Experian admits that it is a consumer reporting agency as defined by 15 U.S.C. § 1681a(f).

141. In response to paragraph 141 (improperly numbered 139) of the Complaint, Experian is without knowledge or information sufficient to form a belief as to the truth of the allegations, and leaves Plaintiff to her proofs.

142. In response to paragraph 142 (improperly numbered 140) of the Complaint, these are legal conclusions and are not subject to denial or admission. To the extent Plaintiff misquotes or misconstrues the statute, Experian denies the allegations.

143. In response to paragraph 143 (improperly numbered 141) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information

sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

144. In response to paragraph 144 (improperly numbered 142) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

145. In response to paragraph 145 (improperly numbered 143) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

146. In response to paragraph 146 (improperly numbered 144) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

147. In response to paragraph 147 (improperly numbered 145) of the Complaint, these are legal conclusions and not subject to denial or admission. To the extent a response is required, Experian denies that it violated the FCRA and denies that it injured Plaintiff.

148. In response to paragraph 148 (improperly numbered 146) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

### **RESPONSE TO COUNT III**

149. Experian repeats its responses to the preceding paragraphs.

150. In response to paragraph 150 (improperly numbered 148) of the Complaint, these are legal conclusions and are not subject to denial or admission. To the extent a response is required, Experian admits that it is a consumer reporting agency as defined by 15 U.S.C. § 1681a(f).

151. In response to paragraph 151 (improperly numbered 149) of the Complaint, these are legal conclusions and are not subject to denial or admission. To the extent Plaintiff misquotes or misconstrues the statute, Experian denies the allegations.

152. In response to paragraph 152 (improperly numbered 150) and its subparts of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants. To the extent Plaintiff misquotes or misconstrues the statute, Experian denies the allegations.

153. In response to paragraph 153 (improperly numbered 151) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

154. In response to paragraph 154 (improperly numbered 152) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

155. In response to paragraph 155 (improperly numbered 153) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information

sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

156. In response to paragraph 156 (improperly numbered 154) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

157. In response to paragraph 157 (improperly numbered 155) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

158. In response to paragraph 158 (improperly numbered 156) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

159. In response to paragraph 159 (improperly numbered 157) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

160. In response to paragraph 160 (improperly numbered 158) of the Complaint, these are legal conclusions and not subject to denial or admission. To the extent a response is required, Experian denies that it violated the FCRA and denies that it injured Plaintiff.

161. In response to paragraph 161 (improperly numbered 159) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information

sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

**RESPONSE TO COUNT IV**

162. Experian repeats its responses to the preceding paragraphs.

163. In response to paragraph 163 (improperly numbered 161) of the Complaint, Experian denies the allegations as they may pertain to it and is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph as they may pertain to other defendants.

164. In response to paragraph 164 (improperly numbered 162) of the Complaint, these are legal conclusions and not subject to denial or admission. To the extent a response is required, Experian denies it violated the FCRA and denies it injured Plaintiff.

165. In response to paragraph 165 (improperly numbered 163) of the Complaint, these are legal conclusions and not subject to denial or admission. To the extent a response is required, Experian denies that Plaintiff is entitled to any damages, costs, or fees as against Experian.

WHEREFORE, Defendant Experian Information Solutions, Inc. prays as follows:

- (1) That Plaintiff take nothing by virtue of the Complaint herein and that this action be dismissed in its entirety;
- (2) For costs of suit and attorneys' fees herein incurred; and
- (3) For such other and further relief as the Court may deem just and proper.

**DEFENDANT EXPERIAN'S AFFIRMATIVE DEFENSES**

**FIRST AFFIRMATIVE DEFENSE**  
**(Failure To State A Claim)**

The Complaint herein, and each cause of action thereof, fails to set forth facts sufficient to state a claim upon which relief may be granted against Experian and further fails to state facts sufficient to entitle Plaintiff to the relief sought, or to any other relief whatsoever from Experian.

**SECOND AFFIRMATIVE DEFENSE**  
**(Immunity/Preemption)**

Plaintiff's state and common law claims are preempted by 15 U.S.C. § 1681h(e) and/or 1681t. Experian did not act with malice or willful intent to injure Plaintiff.

**THIRD AFFIRMATIVE DEFENSE**  
**(Truth/Accuracy Of Information)**

Experian is informed and believes and thereon alleges that all claims against Experian are barred because all information Experian communicated to any third person regarding Plaintiff was true.

**FOURTH AFFIRMATIVE DEFENSE**  
**(Indemnification)**

Experian is informed and believes and thereon alleges that any purported damages allegedly suffered by Plaintiff are the results of the acts or omissions of third persons over whom Experian had neither control nor responsibility.

**FIFTH AFFIRMATIVE DEFENSE**  
**(Failure To Mitigate Damages)**

Plaintiff failed to mitigate her damages.

**SIXTH AFFIRMATIVE DEFENSE**  
**(Contributory/Comparative Fault)**

Experian is informed and believes and thereon alleges that any alleged damages sustained by Plaintiff were, at least in part, caused by the actions of Plaintiff herself and resulted from Plaintiff's own negligence, which equaled or exceeded any alleged negligence or wrongdoing by Experian.

**SEVENTH AFFIRMATIVE DEFENSE**  
**(Estoppel)**

Any damages which Plaintiff may have suffered, which Experian continues to deny, were the direct and proximate result of the conduct of Plaintiff. Therefore, Plaintiff is estopped and barred from recovery of any damages.

**EIGHTH AFFIRMATIVE DEFENSE**  
**(Unclean Hands)**

The Complaint and each claim for relief therein that seeks equitable relief, is barred by the doctrine of unclean hands.

**NINTH AFFIRMATIVE DEFENSE**  
**(Statute of Limitations)**

All or some of the claims for relief in the Complaint herein are barred by the applicable statutes of limitation, including but not limited to 15 U.S.C. § 1681p.

**TENTH AFFIRMATIVE DEFENSE**  
**(Laches)**

The Complaint and each claim for relief therein is barred by laches.

**ELEVENTH AFFIRMATIVE DEFENSE**  
**(Arbitration)**

Experian alleges on information and belief that Plaintiff's claims may be the subject of an arbitration agreement between Plaintiff and Experian.

**TWELFTH AFFIRMATIVE DEFENSE**  
**(Right To Assert Additional Defenses)**

Experian reserves the right to assert additional AFFIRMATIVE defenses as such time and to such extent as warranted by discovery and the factual developments in this case.

WHEREFORE, Defendant Experian Information Solutions, Inc. prays as follows:

- (1) That Plaintiff take nothing by virtue of the Complaint herein and that this action be dismissed in its entirety;
- (2) For costs of suit and attorneys' fees herein incurred; and
- (3) For such other and further relief as the Court may deem just and proper.

Dated: August 16, 2024

Respectfully submitted,

/s/ Dorothy Kowal

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